

FILED

MAY 27 2005

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

1 McGREGOR W. SCOTT
2 United States Attorney
3 YOSHINORI H. T. HIMEL #66194
4 Assistant U. S. Attorney
5 501 I Street, Suite 10-100
Sacramento, California 95814
Telephone: (916) 554-2760

5 Attorneys for Petitioner

8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Petitioner,

12 v.

13 TOMAS RIOS,

14 Respondent.

15 } CIV-F-05-295-REC/DLB

16 } **STIPULATION AND ORDERS RE:**
17 } **MAGISTRATE JUDGE**
18 } **JURISDICTION, AND TAX**
19 } **SUMMONS ENFORCEMENT**

20 } Taxpayers: Aligned Enterprises Trust
21 } and San Joaquin Wellness

22 The parties, through their undersigned counsel of record, hereby stipulate, subject to
23 the approval of the District Judge and the Magistrate Judge, as follows:

- 24 1. In accordance with the provisions of Title 28 U.S.C. Section 636(c), Petitioner
UNITED STATES OF AMERICA consents to have a United States Magistrate Judge conduct
any and all further proceedings in this case, including trial and the entry of final judgment.
- 25 2. In accordance with the provisions of Title 28 U.S.C. Section 636(c), Respondent
TOMAS RIOS consents to have a United States Magistrate Judge conduct any and all further
proceedings in this case, including trial and the entry of final judgment.
- 26 3. The IRS summons in suit shall be ENFORCED.
- 27 4. Respondent, TOMAS RIOS, shall appear at 5300 California Avenue, Suite 100,
Bakersfield, California, before Revenue Agent Fred Chynoweth, or his designated
representative, on May 27, 2005, at 9:00 a.m., then and there to be sworn, to give testimony,

1 and to produce for examining and copying the books, checks, records, papers and other data
2 demanded by the summons and currently in respondent RIOS' possession, care and custody, if
3 any, the examination to continue from day to day until completed.

4 Dated: May 24, 2005

McGREGOR W. SCOTT
United States Attorney

6 By: /s/ Y H T Himel
YOSHINORI H. T. HIMEL
7 Assistant U. S. Attorney

8 Dated: May 24, 2005

9 KLEIN, DeNATALE, GOLDNER,
COOPER, ROSENLIEB &
10 KIMBALL, LLP

11 By: /s/ Dawn Bittleston
DAWN BITTLESTON

12

13 ORDER OF REFERENCE TO MAGISTRATE JUDGE

14 Each of the parties in the above-captioned case has filed a consent to proceed before a
15 United States Magistrate Judge. See 28 U.S.C. § 636(c). According to E.D. Cal. LR 73-305,
16 both the district judge assigned to the case and the magistrate judge must approve the
17 reference to the magistrate judge.

18 The undersigned has reviewed the file herein and orders that, subject to acceptance of
19 the magistrate judge as provided below, the above-captioned case be reassigned and referred
20 to the magistrate judge for all further proceedings and entry of final judgment.

21 IT IS HEREBY ORDERED that the Clerk of the Court reassign this case to The
22 Honorable DENNIS L. BECK. The parties shall please take note that all documents hereafter
23 filed with the Clerk of the Court shall bear case No. CIV-F-05-295-DLB.

24
25
26 DATED: May 26, 2005


27 ROBERT E. COYLE
28 UNITED STATES DISTRICT JUDGE

1 ORDER ACCEPTING REFERENCE

2 Having also reviewed the file, I accept reference of this case for all further proceedings
3 and entry of final judgment.

4 DATED: 5/26/ 2005

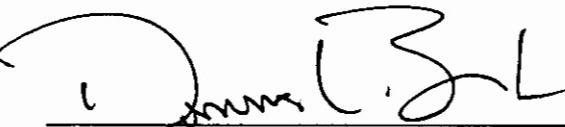
5 
6 DENNIS L. BECK
7 UNITED STATES MAGISTRATE JUDGE

8 ORDER APPROVING STIPULATION AND ENFORCING IRS SUMMONS

- 9 1. The stipulation is APPROVED.
10 2. The hearing set for May 27, 2005, at 9:00 a.m. before Judge Beck is VACATED.
11 3. The two IRS summonses in suit are ENFORCED.
12 4. Respondent, TOMAS RIOS, shall appear at 5300 California Avenue, Suite 100,
13 Bakersfield, California, before Revenue Agent Fred Chynoweth, or his designated
14 representative, on May 27, 2005, at 9:00 a.m., then and there to be sworn, to give testimony,
15 and to produce for examining and copying the books, checks, records, papers and other data
16 demanded by the summons and currently in respondent RIOS' possession, care and custody, if
17 any, the examination to continue from day to day until completed.

18 It is SO ORDERED.

19 DATED: 5/26/, 2005

20 
21 DENNIS L. BECK
22 UNITED STATES MAGISTRATE JUDGE